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HB 138

Testimony of Representative Chuck Hunter, Sponsor
HB 138

Mr. Chairman, members of the committee, I represent House District 79 here in Helena, and today I bring you House Bill 138, a bill requested by the Department of Labor and Industry. The Department, through the Employment Relations Division, has jurisdiction over public sector safety and occupational health laws in Montana.

HB 138 combines into one act the current Montana Safety Act, found in Title 50 Chapter 71; and the current Occupational Health Act of Montana found in Title 51, Chapter 70. HB 138 will update and streamline two acts that trace much of their content back to the 1940s.

The current version of the Montana Safety Act was enacted in 1969, prior to the adoption of the federal Occupation Safety and Health Act, known as OSHA, in 1970. Our Montana statute still assumes that the state has jurisdiction to enforce safety regulations in the private sector, although that has *not* been the case since the federal OSHA act was passed – 38 years ago.

You will find the rational and reasoning for this bill on Page one and two in the “whereas” clauses. But let me summarize them for you. HB 138 aims to modernize and streamline Montana’s occupational health and safety laws into a unified statute that accurately reflects the authority of state regulation is limited to public sector employment.

It is not the purpose of this bill to expand *any* regulatory authority of the Department of Labor and Industry. Rather, it reflects the *current* authority and practices of the Department in a unified, logical, and streamlined flow.

Mr. Keck from the Department will provide you with a section by section description of what is contained in the bill, and will be passing

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out a cross walk table that will make it easier for you to see how the provisions in the current acts are carried forward into HB 138.

Chairman Wilson, and committee members, I believe that HB 138 represents the good work of government trying to update, clarify and streamline regulation in our state. I look forward to a good hearing, and will reserve the right to close.